

**DEFENDANTS' RESPONSE TO PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pulliam v. County of Fort Bend, Texas, et al.

Case No. 4:22-cv-4210

EXHIBIT 2

Travis James

1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF TEXAS
3 HOUSTON DIVISION
4 JUSTIN PULLIAM,
5 Plaintiff,
6 v. Civil Action No. 4:22-cv-4210
7 COUNTY OF FORT BEND, TEXAS;
8 SHERIFF ERIC FAGAN, in his
9 Individual capacity; OFFICER ROBERT
10 HARTFIELD, in his individual capacity;
11 OFFICER JONATHAN GARCIA, in his
12 Individual capacity; OFFICER TAYLOR
13 ROLLINS, in his individual capacity;
14 And OFFICER RICKY RODRIGUEZ, in
15 His individual capacity,
16 Defendants.

17 ORAL DEPOSITION
18 OF
19 DETECTIVE TRAVIS JAMES
20

21 Taken via remote videoconference
22
23
24
25

August 30, 2023

9:05 a.m.

1 APPEARANCES:

2 FOR PLAINTIFFS (all via Zoom):

3 INSTITUTE FOR JUSTICE
816 Congress Ave., Suite 960
4 Austin, TX 78701
By: Christen Mason Hebert
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7 FOR DEFENDANTS:

8 Kevin Hedges
Assistant County Attorney
9 Litigation Division
401 Jackson Street
10 3rd Floor
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12

13 ALSO PRESENT: Molly Hanis

14 REPORTED BY: Sarah B. Townsley, CSR, CRR, RPR

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1 PROCEEDINGS:

2 DETECTIVE TRAVIS JAMES,
3 having been first duly sworn by the court reporter,
4 testified on oath as follows:

5 COURT REPORTER: We're on the record at
6 9:05 a.m.

7 [Witness was sworn.]

8 EXAMINATION BY MR. ROWES:

9 Q. Good morning, Detective James. Would you please
10 state your name and rank with the Fort Bend County
11 Sheriff's Office?

12 A. My name is Travis James, and I'm a detective
13 with the Fort Bend County Sheriff's Office.

14 Q. My name is Jeff Rows. We met a moment ago, and
15 I'm an attorney with the Institute for Justice. I
16 represent plaintiff, Justin Pulliam, and, as you might
17 know, he has this lawsuit asserting his First and Fourth
18 Amendment rights concerning an incident at Jones Creek
19 Ranch Park in July 2021, and then the arrest at the
20 Kraft Country Store in December 2021. The latter is the
21 one you were involved in. I'm sure you remember.

22 A. Yes.

23 Q. Before we get going, I just want to go through a
24 few deposition logistics, especially because this is
25 Zoom. I'm sure, as a law enforcement officer, you've

Travis James

1 Q. You can stop it, Molly. So after -- so after
2 Sergeant Rollins orders Justin to go across the street,
3 he says, "Well, hold on. If it's not for safety", and
4 so Justin is the first person who brings up safety in
5 this discussion, correct?

6 A. Correct.

7 Q. And after Sergeant Rollins says "across the
8 street", Justin asks, "everyone, or just me", correct?

9 A. Correct.

10 Q. Do you think that, at this point, is Justin
11 committing the crime of interference with public
12 duties?

13 A. Yes.

14 Q. And why is it that he's going so now?

15 A. So, as Sergeant Rollins is kind of getting the
16 rundown -- I call it the rundown -- the update about
17 what is going on with TXANA, he's having to divert his
18 attention to Mr. Pulliam to tell him, hey, continue
19 across the street, and then some back-and-forth
20 happens, which is delaying and interfering with
21 Sergeant Rollins getting that update, maybe moving the
22 TXANA individuals out of where they are so that he can
23 speak with them on-scene, so that he can start getting
24 that situation under control. He's having to divert
25 his attention from that to Mr. Pulliam.

1 Q. So I -- I kind of get that. The one -- the one
2 follow-up I kind of want to ask is, maybe, if Sergeant
3 Rollins didn't pull the trigger a little bit too early
4 in arresting him, because, from Justin's point of view,
5 the TXANA employees had made an appeal to Sergeant
6 Rollins, Sergeant Rollins just changed his mind about
7 them, and then Justin is asking, well, does everyone
8 have to go across the street for safety? I mean, why
9 isn't, at this point, Justin is just trying to clarify
10 and kind of plead his case to see if he can stay, too?
11 In other words, why didn't it become interference then,
12 and not just Justin is asking Sergeant Rollins of
13 Sergeant Rollins is willing to change his mind?

14 A. So you're asking why does it become interference
15 then?

16 Q. Yeah, I mean, looking at it -- let's say we look
17 at it from Justin's perspective, and he sees the TXANA
18 people have been ordered to go across the street, then
19 they talk to Sergeant Rollins, and he changes his mind,
20 and so then Justin asks Sergeant Rollins, wait a
21 minute, do I have to go? Is it everybody, or is it
22 just me? Looking at it from Justin's perspective, why
23 isn't this just him trying to clarify the situation the
24 same way the TXANA people clarified the situation, and,
25 since Sergeant Rollins just changed his mind, maybe

1 Justin thinks Sergeant Rollins will change his mind
2 again with respect to him, Justin.

3 A. Okay. So your question is -- I'm just trying to
4 understand --

5 Q. Yeah, I guess what I mean to say is that, like,
6 the TXANA women talked to Sergeant Rollins, Sergeant
7 Rollins changed his mind, and so Justin sees that, and
8 he thinks well, I want to talk to Sergeant Rollins a
9 little bit more to see if he'll change his mind about
10 me, so I'm trying to figure out, if it wasn't
11 interference for the TXANA personnel to get Sergeant
12 Rollins to change his mind, why did it become
13 interference for Justin to talk to Sergeant Rollins to
14 see if he'd change his mind?

15 A. Based off of my experience, I believe it became
16 interference with Justin due to the fact that Justin
17 was not directly involved in the case, meaning he
18 wasn't the reportee like the TXANA workers were, or he
19 wasn't Mr. Kraft's mother, Frances, who has direct
20 knowledge of Mr. Kraft. The TXANA workers have direct
21 knowledge of Mr. Kraft, and they are the reportees.
22 They're the ones calling us out there. That's my
23 understanding.

24 Q. But do you think that -- so I think that's
25 arguable and could be justifiable. I guess what I'm

1 thinking is, since Justin may not have understood or
2 known that, why couldn't Sergeant Rollins have just
3 explained, "Well, there's a reason they get to stay.
4 They're involved, here, but you're just documenting it,
5 so you need to go across the street and we're going to
6 take steps ensure the safety of the TXANA people",
7 something like that?

8 A. In laymen's terms, when you have a subject who's
9 barricaded in a residence, who is going through
10 homicidal, suicidal ideations, those are very dangerous
11 situations, and the more time you spend out in the
12 open, the more time you're at risk. Does that make
13 sense?

14 Q. It does. I understand what you mean. Did the
15 TXANA employees, when you spoke to them, talk about
16 where Sergeant Rollins relocated them, or when they got
17 relocated to a safe area?

18 A. I believe they were relocated shortly after
19 Mr. Pulliam was arrested, and they were relocated
20 behind a Tahoe that was out of view of the residence of
21 Mr. Kraft.

22 Q. So since the search warrant affidavits don't
23 mention the TXANA employees, is that because you just
24 hadn't spoken to them yet, or is there a reason why
25 they weren't included in the search warrant affidavits?